

## REMARKS

Claims 2-33 and 47 are pending and Claims 35-37, 39-44, 48 and 49 have been withdrawn. The Examiner rejected Claims 47, 4-5, 8-25 and 29-33 under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. No. 6,415,270 to *Rackson et al.* ("*Rackson*") and rejected Claims 2-3 and 6-7 under U.S.C. § 103(a) as being unpatentable over *Rackson*.

*Rackson* was filed on November 15, 1999 and claims priority to U.S. Provisional Application Serial No. 60/152,473, filed on September 3, 1999. The present application is a continuation of U.S. Application Serial No. 09/428,702 filed October 27, 1999, which claims priority to U.S. Provisional Application Serial No. 60/154,667 filed September 16, 1999.

All of the named inventors are inventors of all of the pending claims. The declarations of inventors Peter Leeds and Jay Walters establish that the claimed invention was conceived and reduced to practice prior to September 3, 1999. The declarations are attached hereto as Appendix A. The remaining inventors, Chris Hall, Girish Haran, Borne Mace, Kimbo Mundy, and Derek Young, are unavailable or refuse to sign the declaration. A declaration of Brenda Holmes confirming the transmittal of the declaration to the non-signing inventors and detailing her attempts to obtain executed declarations from the non-signing inventors is attached hereto as Appendix B.

*Rackson* does not claim the same invention as the present application. Independent claim 47 recites collecting information about different items within a class of items from at least two enterprises in response to the user specifying the class. *Rackson* does not recite the use of classes.

In light of the foregoing, it is respectfully submitted that *Rackson* should be removed as a reference and the rejection of Claims 2-33 and 47 should be withdrawn.

If there are any issues that can be resolved via a telephone conference, the Examiner is invited to contact the undersigned at 404.685.6799.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brenda O. Holmes", with a stylized flourish at the end.

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